THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.4345 OF 2005

DATE:07th September 2006

Between:
Yerrabolu Srinivasa Rao,
S/o Krishnamurthy,
Aged 33 years, Occ: unemployee,
R/o Kothapalem, Yerrupalem Mandal,
Khammam District.

... Petitioner.

And

1. The Revenue Divisional Officer,
   Khammam, Khammam District
   and 2 others.

... Respondents.

* * *

ORDER:

The only grievance of the petitioner is that when he and third respondent applied for fair price shop dealership of Kothapalem village, Yerrupalem Mandal, Khammam Revenue Division, the third respondent was selected, who is less meritorious than him—thus the authorities have committed an illegality.

2. It seems that the only complaint of the petitioner is that he passed S.S.C in one attempt, whereas, the third respondent passed S.S.C. in compartmental. Therefore, he could not have been treated as equally meritorious to that of the petitioner. The

very fact that the third respondent passed S.S.C. in compartmental must be deemed that he is less meritorious than the petitioner.

3. According to 3rd respondent, this concept is misconceived because the only educational qualification required for appointment of fair price shop dealer is a pass in 10th class. On the basis of interview conducted and marks obtained by the third respondent, he was selected and appointed.

3. Along with the counter the respondent No.1 also filed marks sheet obtained by the candidates appeared for interview on 09.02.2005. The petitioner obtained, in all, six marks, whereas the respondent No.3 obtained eight marks. In so far as the marks for educational qualification obtained, the petitioner as well as third respondent were given two marks since both of them satisfied the criteria of minimum educational qualification.

4. In view of the above, I am of the opinion that the respondents authorities have not committed any error in appointing the third respondent as fair price shop dealer calling for interference of this Court under Article 226 of the Constitution of India. The writ petition is devoid of merit and is liable to be dismissed and accordingly dismissed. No costs.

_____

C.V.RAMULU, J.

Date: 07th September 2006.
BSB